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Attorneys for Defendant
UNION PACIFIC RAILROAD COMPANY
(sued herein as UNION PACIFIC CORPORATION)

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

FREDERICK N. BURGNER

Plaintiff,

vs.

UNION PACIFIC CORPORATION,

Defendants.

No. C 07 05160 HRL

**STIPULATION TO FILE
AMENDED ANSWER TO
PLAINTIFF'S SECOND
AMENDED COMPLAINT AND
ORDER THEREON**

IT IS HEREBY STIPULATED, by and between the parties hereto, through their attorneys of record, that defendant UNION PACIFIC RAILROAD COMPANY (sued herein as UNION PACIFIC CORPORATION) may amend its answer to plaintiff's second amended complaint to include affirmative defenses which were inadvertently omitted from its original answer. A

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1 copy of the amended answer is attached hereto as Exhibit A.

2 Dated: February 14, 2008

RANDOLPH CREGGER & CHALFANT LLP

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4 By /s/ STEPHANIE L. QUINN
STEPHANIE L. QUINN
5 Attorneys for Defendant UNION PACIFIC
6 RAILROAD COMPANY

7 DATED: February 14, 2008

TULLY, RINCKEY & ASSOCIATES, P.L.L.C.

8
9 By /s/ STEVEN L. HERRICK
STEVEN L. HERRICK
10 Attorneys for Plaintiff

11
12
13 ORDER

14 IT IS HEREBY ORDERED that Defendant UNION PACIFIC RAILROAD COMPANY
15 (sued herein as UNION PACIFIC CORPORATION) may file an amended answer to plaintiff's
16 second amended complaint.

17 DATED: _____

18 _____
19 UNITED STATES DISTRICT JUDGE
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